

## FUNDING LEVELS

### LWCF State Grant Program

\$000							
	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S.+/-01</u>	<u>S. +/-02</u>	<u>S. +/- H.</u>
LWCF State Grants	90,301	450,000	154,000	164,000	+73,699 +81.6%	-286,000 -63.6%	+10,000 +6.0%

The 2002 President's budget request for NPS State Conservation Grants was \$450.0 million, an increase of 400 % over 2001. The Administration proposed to revitalize the grants program by giving States greater flexibility in using the funds to include wildlife and habitat purposes.

The House provides \$154.0 million for grants to States, a decrease of \$296.0 million from the request, composed of \$150.0 million for grants and \$4.0 million for administration. The Senate provides \$164.0 million, \$10.0 million more than the House. The House and Senate do not provide the added flexibility that was proposed, but maintain the grant program for established recreation oriented purposes. The House and Senate retain the current allocation formula for stateside grants.

The Senate includes bill language (§125) providing that, upon application of a Governor, up to 25 % of a State's formula allocation of stateside grants may be transferred to wildlife grants, or, alternatively, that up to 25 % of a State's allocation of wildlife grant funds may be transferred to stateside grants.

The House and Senate restore funding to a number of grant accounts whose purposes are addressed by the Administration's broadened LWCF State grants proposal. See discussions of the State Wildlife grants, Cooperative Endangered Species Conservation Fund, and the North American Wetlands Conservation Fund in this document.

### Landowner Incentive Program

\$000							
	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S.+/-01</u>	<u>S. +/-02</u>	<u>S. +/- H.</u>
Landowner Incentive Program	--	50,000	50,000	50,000	+50,000 +100%	--	--
Stewardship Grants	--	10,000	10,000	10,000	+10,000 +100%	--	--

The President's budget proposed two new grant programs including \$50.0 million for the Landowner Incentive program and \$10.0 million for Stewardship Grants. The House provides \$50.0 million for a new Landowner Incentive program and \$10.0 million for a new Private Stewardship grants program in separate FWS appropriations accounts funded from the Land and Water Conservation Fund, rather than as part of the Federal acquisition program as proposed in the President's budget. The Senate concurs with the House recommendation.

## Federal LWCF Land Acquisition

\$000	<u>01Enacted</u>	<u>02Budget</u>	<u>House</u>	<u>Senate</u>	<u>S.+/-01</u>	<u>S. +/-02</u>	<u>S. +/- H.</u>
BLM	56,545	47,686	47,686	45,686	-10,859	-2,000	-2,000
FWS			Funded in	Funded in			
Landowner			Separate	Separate			
Incentive Prog.	--	50,000	Account	Account	--	--	--
Stewardship			Funded in	Funded in			
Grants	--	10,000	Separate	Separate	--	--	--
			Account	Account			
Federal Lands	<u>121,188</u>	<u>104,401</u>	<u>104,401</u>	<u>108,401</u>	<u>-12,787</u>	<u>+4,000</u>	<u>+4,000</u>
Subtotal FWS	121,188	164,401	104,401	108,401	-12,787	+4,000	+4,000
NPS	124,840	107,036	107,036	123,036	-1,804	+16,000	+16,000
DOI Total	302,573	319,123	259,123	277,123	-25,450	+18,000	+18,000
					-8.4%	+5.6%	6.9%
Forest Service	150,872	130,877	130,877	128,877	-21,995	-2,000	-2,000
Total	453,445	450,000	390,000	408,000	-47,445	+16,000	+16,000
					-10.5%	+3.5%	+4.1%

Note: Percentage comparisons on this chart exclude \$60.0 million in Stewardship grants.

The President's budget requested \$450.0 million for Federal land acquisition, including the Forest Service. The Interior budget request, \$319.1 million, included \$259.1 million for acquisition by BLM, FWS, and NPS, and \$60.0 million for a new Landowner Incentive program and a new Private Stewardship grants program.

The House provides \$390.0 million for Federal land acquisition, including \$130.9 million for Forest Service and \$259.1 million for Interior. The House mark for Interior land acquisition funds 70 % of the projects requested in the President's budget, along with 27 congressional add-on projects with a value of \$48.7 million. The House funds the \$60.0 million in new landowner incentive and stewardship grants in separate accounts.

The Senate Committee mark includes \$408.0 million for Federal land acquisition, including \$128.9 million for Forest Service. For Interior, the Senate Committee provides \$277.1 million, an increase of \$18.0 million over the House and the Administration's request. The Senate Committee funds 62 % of the projects requested in the President's budget, along with 28 congressional add-on projects with a value of \$57.0 million.

Specifics for each bureau are as follows:

- The House funds the President's request of \$47.7 million for BLM compared to the Senate Committee mark of \$45.7 million, a decrease of \$2.0 million from the request. The House funds 77 % of the President's budget request for land acquisition projects, while the Senate funds 87 %. The House adds \$10.2 million for four unrequested projects while the Senate adds \$3.4 million for three projects.
- The House fully funds FWS' request of \$104.4 million. This includes funding for 68 % of the project requested and 15 add-on projects. The Senate Committee provides \$108.4 million, an increase of \$4.0 million over the request level and the House

mark. The Senate funds 70 % of the projects requested in the President's budget and adds \$28.9 million for 16 projects.

The House provides direction that project funds are to be used exclusively for land purchase, disallowing the use of project funding for overhead, planning or management costs. The House directs that \$6.0 million of the \$14.3 million provided for acquisition management is to be used for planning, and that future budgets should include a site specific list of how this planning funding will be allocated. House report language supports a more strategic approach to expansion of refuges and the establishment of new refuges, directing that the Service make a concerted effort to acquire lands within existing boundaries, and consider the operations and maintenance costs in making land acquisition requests.

- For NPS, the House funds the 2002 request level of \$107.0 million, including 88 % of the requested projects and eight add-on projects totaling \$11.1 million. The Senate Committee provides \$123.0 million, an increase of \$16.0 million above the request and the House level and funds 90 % of the request for land acquisition projects while adding funding for nine projects.

The Senate Committee mark includes \$11.0 million for the Civil War Battlefield Preservation Program with a provision that there will be a one-to-one cost share for the grants.

A detailed table of the Federal land acquisition projects is provided as Attachment 4.

## Fish and Wildlife Service Grants

\$000	01 Enacted	02 Budget	House	Senate	S.+/-01	S. +/-02	S. +/-H.
CESCF	104,694	54,694	107,000	91,000	-13,694	+36,306	-16,000
NAWCF	39,912	14,912	45,000	42,000	+2,088	+27,088	-3,000
Wildlife Grants*	99,780	--	100,000	100,000	0	+100,000	0
Rescission of Wildlife Grants	[49,890]	--	--	-49,890	-49,890	-49,890	-49,890
Tribal Wildlife Grants	--	--	5,000	0	0	0	-5,000
Multi-Natl. Species Cons.	3,243	3,243	4,000	4,000	+757	+757	--
Neo Birds	--	--	5,000	0	0	0	-5,000
Wildlife Appreciation	795	--	--	--	-795	--	--
Total	248,644	72,849	266,000	187,110	-61,534 -24.7%	+114,261 156.8%	-78,890 -29.7%

\*Note: In FY 2001, \$50 million provided in the Interior Appropriations Act for State Wildlife grants; \$50 million provided in the Commerce, Justice, State Appropriations Act for Wildlife Conservation and Restoration grants.

The President's Budget funded the Cooperative Endangered Species Conservation Fund at \$54.7 million, \$50 million below 2001, but \$31.7 million above 2000. The House mark provides an additional \$52.3 million above the President's request, and \$2.3 million above 2001 enacted for the CESCF. The Senate provides \$36.3 million above the request, but \$16.0 million below the House.

The President's Budget funded the North American Wetlands Program at \$14.9 million, a reduction of \$25.0 million from 2001, but the same as 2000. The House mark provides an additional \$30.1 million above the President's request, and \$5.1 million above enacted for the NAWCF. The Senate provides \$27.1 million above the request, but \$3.0 million below the House.

The President's Budget provided no funding for two State Wildlife grants programs that were funded in 2001 – a competitive program that was funded in the Interior bill and a formula-based program that was funded in the Commerce, Justice, State bill. The House mark restores \$100.0 million in State Wildlife Grants and provides an additional \$5.0 million for a new Tribal Wildlife Grants program. The House directs that FWS use a formula for State Wildlife grants that is based 30 % on land and 70 % on population. The Senate provides \$100.0 million for State Wildlife Grants, prescribing the same formula as the House. The Senate provides no funding for Tribal Wildlife and rescinds the \$49.9 million appropriated in the 2001 bill for State Wildlife Grants.

The President's budget did not request funding for the Wildlife Conservation and Appreciation fund in recognition of the flexibility provided under the LWCF State grants proposal. Neither the House or Senate funded the Wildlife Conservation and Appreciation Fund.

The President's Budget funded the Multinational Species Conservation Fund at the 2001 level of \$3.2 million. The House mark provides an additional \$0.8 million above the President's request for the MNSCF and the Senate provides the same amount as the House.

The House provides \$5.0 million to establish an account for the recently enacted Neotropical Migratory Bird Conservation Act. The Senate provides no funding for this new program.

#### **NPS Historic Preservation Fund**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S +/- 01</u>	<u>S +/- 02</u>	<u>S +/- H</u>
Historic Pres.	59,316	37,055	42,000	42,000	-17,316	+4,945	---
Save America's Treasures	34,923	30,000	30,000	30,000	-4,923	---	---
National Trust	--	--	5,000	2,000	+2,000	+2,000	-3,000
Total	94,239	67,055	77,000	74,000	-20,239	+6,945	-3,000
					-21.5%	+10.4%	-3.9%

NOTE: A budget amendment requested \$30 million for the Save America's Treasures program.

The President's budget request included \$67.1 million for the Historic Preservation Fund. This included a \$30.0 million budget amendment for continued funding of the Save America's Treasures program. The House provides \$77.0 million, a 14.8 % increase above the request level. This increase includes a new \$5.0 million National Trust endowment and an additional \$4.9 million for grants to states, territories, and tribes.

The Senate Committee provides \$74.0 million, a \$6.9 million increase above the requested level, but \$3.0 million below the level provided by the House. The Senate mark provides \$3.0 million for the National Trust endowment as compared to the House's \$5.0 million allowance.

#### **NPS Urban Park and Recreation Fund**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S +/- 01</u>	<u>S +/- 02</u>	<u>S +/- H</u>
UPARR	29,934	---	30,000	20,000	-9,934	+20,000	-10,000
					-33.2%	N/A	-33.3%

The President's budget did not request funding for the Urban Park and Recreation Fund as the LWCF State grants proposal offered states a source of funding to increase recreation opportunities including recreation in urban areas. The House provides \$30.0 million for Urban Park and Recreation Recovery (UPARR) grants. The Senate Committee provides \$20.0 million for UPARR grants; \$10.0 million lower than the House level.

#### **Payments in Lieu of Taxes/Refuge Revenue Sharing**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. +/- 01</u>	<u>S. +/- 02</u>	<u>S. +/- H.</u>
PILT (BLM)	199,560	150,000	200,000	220,000	+20,440	+70,000	+20,000
					+10.2%	+46.7%	+10%

Refuge Revenue							
Sharing (FWS)	11,414	11,414	16,414	14,414	+3,000	+3,000	-2,000
					+26.2%	+26.3%	-12.2%

The 2002 budget request provided \$150.0 million for BLM's Payments in Lieu of Taxes program. The House mark funds PILT at \$200.0 million, an increase of \$50.0 million above the President's budget, comparable to the 2001 level. The Senate Committee provides a total of \$220.0 million for PILT, \$20.0 million above the House mark and \$70.0 million above the President's Budget request.

The President's budget funds FWS' National Wildlife Refuge Fund at the 2001 level of \$11.4 million. The House mark provides an additional \$5.0 for the NWRF, while the Senate Committee mark provides an additional \$3.0 million.

### **Land Management Operations**

#### **National Park Service Operations**

\$000							
	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S +/- 01</u>	<u>S +/- 02</u>	<u>S +/- H</u>
ONPS	1,391,177	1,470,499	1,480,336	1,473,128	+81,951	+2,629	-7,208
					5.9%	+0.2%	-0.5%

The President's FY 2002 budget request for NPS Operations included an increase of \$79.3 million compared to FY 2001. The request included the following increases: \$20.0 million for the Natural Resource Challenge; \$18.7 million for the transfer of the U.S. Park Police pension fund into this account; \$16.9 million for the Repair and Rehabilitation program (including the facilities maintenance management system and condition assessments); \$3.0 million for implementation of the Comprehensive Everglades Restoration Plan (CERP); \$1.2 million for bison management, and \$1.1 million for structural fire safety.

The House provides \$1.48 billion for NPS Operations, an increase of \$9.8 million above the President's request. The Senate Committee provides \$1.47 billion, \$2.6 million above the request and \$7.2 million less than the House.

House and Senate changes from the President's budget include:

- The Senate provides a net increase of \$37.1 million for fixed cost increases above the 2001 enacted level, an increase of \$4.7 million above the level the House provides. The Senate restores funding for the proposed reduction of \$5.6 million in streamlining savings proposed in the President's budget.
- The House includes the requested increase of \$650,000 for contracted financial audits, while the Senate eliminates this funding and funds the audit costs within the Office of the Inspector General.
- The House and Senate fund the requested increases of \$20.0 million for the Natural Resource Challenge, \$1.2 million for bison management, and \$1.1 million for structural fire safety.

- The House and Senate fund Everglades science and CERP implementation as requested in the President's budget and include a total of \$9.5 million.
- The House funds the requested level of \$75.3 million for Repair and Rehabilitation including a \$19.9 million increase. The Senate funds a \$17.2 million increase. These increases include \$7.2 million in funding for condition assessments and the facility maintenance system.
- The House provides \$28.0 million for park base increases, no funding was requested for this in the President's budget. The Senate Committee allowance for park base increases is \$9.0 million.
- The House funds an unrequested increase of \$2.8 million for upgrading the telecommunications systems.
- The House adds \$500,000 to continue the business plan initiative, specifically to develop a consistent process.
- The House and Senate add \$500,000 for Vanishing Treasures, and the Senate provides an additional \$500,000 for cultural resources management.
- The Senate adds \$2.0 million for challenge cost-share activities associated with the bicentennial of the Lewis and Clark expedition, \$475,000 for safety hazard removal at the New River Gorge National River, and \$200,000 for wild and scenic river partnerships.

Both the House and the Senate reject the proposed transfer of park police pension costs to NPS operations, instead funding these costs in a new permanent, indefinite account.

House bill language prohibits the establishment of a new Associate Director for Partnerships position within the NPS. Senate bill language does not address this issue.  
**U.S. Park Police**

\$000							
	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S +/- 01</u>	<u>S +/- 02</u>	<u>S +/- H</u>
Park Police	77,876	65,260	65,260	66,106	-11,770	+846	+846
					-15.1%	+1.3%	+1.3%

The President's budget requested an increase of \$4.5 million to fund fixed costs and additional pay costs required by the Omnibus Consolidated Appropriations Act of 2000. The budget request aligned park base funding supporting Park Police operations and proposed to move funding (\$18.7 million) for U.S. Park Police pensions to the NPS Operations account.

The House funds the Park Police at the same level as the President's request. The Senate provides an additional \$846,000, including funds for \$487,000 in increased 2001 pay costs and health insurance costs proposed for absorption and \$359,000 in streamlining savings proposed in the President's budget.

The House creates a new, permanent indefinite account to pay Park Police pension costs, anticipated to cost \$22.0 million in 2002. Bill language directs that this permanent, indefinite account be established to fund the U.S. Park Police pension costs in the same manner in which the U.S. Secret Service pension plan costs are currently funded. Bill language also allows the U.S. Park Police to be reimbursed by park units for law enforcement assistance during special events.

Senate bill language also includes a permanent, indefinite account for payment of U.S. Park Police pensions and allows reimbursement by park units.

### **Fish and Wildlife Service Operations**

\$000							
	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S.+/-01</u>	<u>S. +/-02</u>	<u>S. +/-H.</u>
Resource Mgt.	806,816	806,752	839,852	845,714	+38,898	+38,962	+5,862
					+4.8%	+4.8%	+0.7%

The President's Budget funded FWS operations at approximately the same level as 2001. The budget proposed \$31.4 million in reductions in unrequested congressional earmarks and one-time changes. The budget proposed key program increases including: \$2.0 million for the ESA listing program; \$10.0 million for National Wildlife Refuge System maintenance; \$1.2 million for the Great Lakes consent decree on fishery resources; \$2.0 million for Trinity River restoration; \$1.0 million for CALFED; \$3.5 million for Columbia River Basin Salmon Recovery; and \$2.7 million for Comprehensive Everglades Restoration.

Overall, the House mark provides \$839.9 million for FWS operations, an increase of \$33.1 million, or 4.1 %, above the President's request. The Senate mark provides \$845.7 million for FWS operations, an increase of \$39.0 million, or 4.8 %, above the President's request, and \$5.9 million above the House. The Senate mark does not fund \$1.0 million requested for CALFED.

House and Senate changes from the President's budget include:

- The House mark funds uncontrollables at the request level of \$17.5 million. The House mark also accepts proposed streamlining savings of \$3.5 million. The Senate provides \$21.5 million for uncontrollables, an increase of \$4.0 million above the request, and accepts only \$2.0 million of \$3.5 million proposed in the budget for streamlining reductions.
- The House includes the requested increase of \$650,000 for contracted financial audits. The Senate eliminates this funding and reduces the FWS operating account for audit funding by a total of \$825,000 funding the audit costs within the Office of the Inspector General.
- The House provides an additional \$11.4 million and the Senate an additional \$6.8 million for Endangered Species Act (ESA) operations, discussed below.
- For the Partners for Fish and Wildlife Program, the House provides an additional \$3.2 million, earmarked as follows: \$550,000 for nutria eradication at Blackwater



NWR, MD; \$500,000 for Columbia River estuary research; \$1.1 million for bull trout conservation in Washington State; and \$1.0 million for Washington State Ecosystems. The Senate provides an increase of \$4.6 million, concurring with House earmarks of \$550,000 for nutria and \$500,000 for Columbia River estuary research, and provides additional earmarks of \$250,000 for cormorant research in Arkansas; \$1.0 million for Hawaii ESA Community Conservation Plan; \$1.5 million for the Reno Biodiversity project; \$400,000 for the Montana Water Center; \$100,000 for private conservation efforts near Aldo Leopold NWR in Wisconsin; and \$250,000 for establishing alternative habitat and food sources for Idaho terns.

- Under Project Planning, the Senate does not agree to the \$1.0 million increase requested for CALFED, but provides an earmarked increase of \$250,000 for the Middle Rio Grande (Bosque) program.
- The House provides an additional \$600,000 for coastal programs, while the Senate provides an additional \$2.1 million, of which \$1.5 million is earmarked for the Cook Inlet Aquaculture Association, \$200,000 for king salmon restoration, and \$400,000 for general activities.
- The House provides an additional \$100,000 for the environmental contaminants program.
- The House provides a net increase of \$6.0 million for refuge operations and maintenance composed of an increase of \$10.0 million for refuge operations, a reduction of \$5.0 million for refuge maintenance, and an increase of \$1.0 million for a natural resource challenge program modeled after the NPS initiative. The Senate provides a net increase of \$4.0 for refuge operations and maintenance composed of an increase of \$10.0 million for refuge operations and a reduction of \$6.0 million for refuge maintenance.
- The House provides an increase of \$1.5 million for migratory bird joint ventures. The Senate provides an increase totaling \$3.4 million for migratory bird management including: \$1.9 million for joint ventures; \$575,000 to reduce Seabird bycatch in Alaska; and \$1.0 million for Canada goose depredation.
- The Senate provides an additional \$1.1 million for FWS law enforcement, including earmarked funding of \$76,000 for Canaan Valley NWR.
- The House provides an additional \$5.4 million for the fisheries program, including \$4.0 million for the Washington State Hatchery Improvement Project; \$500,000 for general hatchery operations; \$500,000 for reproductive biology/salmon research at Washington State University; and \$400,000 for Great Lakes fish and wildlife restoration. The Senate provides an additional \$12.1 million for the fisheries program, including: \$2.0 million for Leadville NFH; \$2.0 million for the Washington State Hatchery Improvement Project; \$185,000 for sewer replacement at White Sulphur Springs NFH; \$500,000 for general hatchery operations; \$600,000 for Atlantic salmon; \$1.2 million for Bering Sea Fisheries Association; \$2.0 million for the Chester Creek salmon run in Alaska; \$600,000 for the Great Lakes fishery restoration program; \$1.0 million for the Wildlife Enhancement and Economic

Development Program in Mississippi; \$460,000 for Yukon River salmon; \$1.3 million for marine mammal protection in Alaska; and \$250,00 for whirling disease and fish health issues.

- The House provides an additional \$2.0 million for the National Fish and Wildlife Foundation, while the Senate provides an additional \$1.0 million, including \$500,000 for Atlantic salmon grants in Maine.
- The House provides an additional \$3.0 million for administrative cost increases to eliminate charging of programs and projects through the cost allocation methodology. The Senate does not provide a comparable increase.

## FWS Endangered Species Program

\$000	01 Enacted	02 Budget	House	Senate	S.+/-01	S. +/-02	S. +/-H.
Candidate Conservation Listing Consultation/ HCP	7,052	7,220	7,220	7,720	+668	+500	+500
Recovery Landowner Incentive	6,341	8,476	8,476	9,000	+2,659	+524	-524
Total	42,750	41,901	46,751	43,401	+651	+1,500	-3,350
	59,835	54,217	60,717	58,517	-1,318	+4,300	-2,200
	4,969	--	--	--	-4,969	0	--
	120,947	111,814	123,164	118,638	-2,309	+6,824	-5,574
					-1.9%	+6.1%	-4.5%

The President's Budget for the Candidate Conservation program included an increase of \$168,000 for fixed costs. The House mark fully funds the President's request, without modification. The Senate provides \$500,000 above the House, all earmarked as pass-through funding to the State of Idaho to prevent the listing of sage grouse.

The President's Budget for the Listing program included a program increase of \$1.96 million and an increase of \$173,000 for fixed costs. The House mark fully funds the President's request, without modification. The House did not adopt proposed bill language for listing, but rather continues the listing cap (at \$8.5 million) and establishes a new "subcap" of \$6.0 million for critical habitat designations for already listed-listed species. The Senate provides \$524,000 above the House (and the budget request) and continues the listing cap (at \$9.0 million), but does not concur with House bill language creating a new subcap for critical habitat designations for already listed species.

The President's Budget for the Consultation program included a program decrease of \$849,000 overall. The requested amount of \$41.9 million included +\$1.2 million for fixed costs; +\$520,000 for implementation of the Comprehensive Everglades Restoration Plan; and -\$2.5 million for unrequested congressional earmarks. The House mark provides \$4.9 million above the President's budget, restoring earmarked funding for the Sonoran Desert Conservation Plan (+\$850,000) and providing a general increase of \$4.0 million. The Senate mark provides \$1.5 million above the President's budget and \$3.4 million below the House, earmarking \$500,000 of the increase for Central Valley and Southern California Habitat Conservation Plan.

The President's Budget for the Recovery Program included a program decrease of \$5.6 million overall, including: +\$1.0 million for fixed costs; +\$625,000 for Columbia River Salmon Recovery; +\$390,000 for implementation of the Comprehensive Everglades Restoration Plan; and -\$7.6 million for unrequested congressional earmarks. The House mark provides \$6.5 million above the President's budget, restoring a portion of earmarked funding for Washington salmon grants to be administered by the National Fish and Wildlife Foundation (\$3.0 million); restoring \$500,000 for manatees to bring total manatee funding to the 2001 enacted level of \$1.0 million; and funding a general increase of \$3.0 million. The Senate mark provides \$4.3 million above the President's budget and \$2.2 million below the House. The Senate increase includes the following earmarks: \$800,000 in pass-through funding to the Alaska Sealife Center for eider recover; \$500,000 for Bruneau Hot Springs snail conservation activities in Idaho;

\$200,000 for Nez Perce wolf monitoring activities; \$500,000 for Preble's Meadow jumping mouse in Colorado; \$700,000 for Upper Colorado endangered fish recovery; and \$600,000 for Lahontan cutthroat trout in Nevada. The remaining \$1.0 million is for general recovery programs. The Peregrine Fund is funded at \$400,000.

The President's budget discontinued funding in the Endangered Species program for the Federally operated landowner incentive program (-\$5.0 million) and replaced it with a new State landowner incentive program of \$50.0 million. Both the House and Senate agree to this reduction and fund the \$50.0 million landowner incentive program (see discussion entitled Landowner Incentive Programs above).

### **Bureau of Land Management Operations**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S.+/-01</u>	<u>S. +/-02</u>	<u>S. +/-H.</u>
BLM Operations	856,783	865,477	873,876	882,023	+25,240	+16,546 +2.0%	+8,147 +.9%

*\*Note: Includes Management of Lands and Resources and California O&C lands*

The President's budget provided \$865.5 million for BLM operations, a \$8.7 million increase over the 2001 level. This included an increase of \$16.1 million for uncontrollables, a \$7.1 million program increase for land use planning, and \$15.0 million to expand energy and mineral activities.

The House funds BLM operations at \$873.9 million, an increase of \$17.1 million above the enacted level and \$8.4 million above the budget request. The Senate funds BLM operations at \$882.0 million, an increase of \$16.5 million above the request and \$8.2 million above the House.

House and Senate changes from the President's budget include:

- The House mark funds uncontrollables at the requested level of \$16.1 million. The House mark also accepts proposed streamlining savings of \$3.1 million. The Senate provides \$22.5 million for uncontrollables, an increase of \$6.4 million above the request, and accepts \$3.1 million proposed in the budget for streamlining.
- The House includes the requested increase of \$537,000 for contracted financial audits. The Senate does not provide this funding, and instead funds the audit costs within the Office of the Inspector General.
- The House adds \$1.0 million for a new Natural Resource Challenge program modeled on the NPS initiative, and \$600,000 for California desert rangers.
- The House adds \$3.0 million for deferred maintenance infrastructure improvements, as did the Senate Committee.
- For energy programs in BLM, the 2002 budget request provided an increase of \$15.0 million, including \$2.0 million for environmental and resource studies in support of a lease sale in the 1002 area of ANWR in 2004. The House provides an increase of \$17.0 million for energy programs in BLM, \$2.0 million more than the request. Within the \$17.0 million increase, the House provides \$6.0 million more to process the backlog of coalbed methane APDs, while disallowing the \$2.0 million requested

for support of lease sales in the ANWR. The Senate provides an increase of \$14.7 million for BLM energy programs. Within this amount the Senate disallowed the \$2.0 million request for studies in support of a lease sale in ANWR, shifting \$1.0 million of this request to process the backlog of coalbed methane APDs, and \$700,000 for similar activities in Utah.

- The Senate adds \$2.0 million for invasive species, \$1.0 million for the Undaunted Stewardship program, \$2.9 million for mapping activities, \$1.8 million for the Alaska Minerals program for continuation of work on an interagency geological database.
- The House and Senate Committee include funds for the request of \$7.1 million for updating Land Use Planning.

### Wildland Fire Management

\$000	01 Enacted	02 Budget	House	Senate	S. +/-01	S. +/-02	S. +/- H.
Preparedness	314,712	280,807	280,807	281,807	-32,905	+1,000	+1,000
Operations:							
Suppression**	153,109	161,424	161,424	161,424	+8,315	--	--
Urban	120,036	111,255	111,255	111,255	-8,781	--	--
Interface*							
Fuels Manage.	74,935	74,935	74,935	74,935	--	--	--
Rehab. Burn**	104,769	20,000	62,385	20,000	-84,769	--	-42,385
Contingency	199,560	--	--	--	-199,560	--	--
Subtotal,	652,409	367,614	409,999	367,614	-284,795	+1,000	-42,385
Operations							
Rural Assist.	9,978	10,000	10,000	10,000	+22	--	--
Total	977,099	658,421	700,806	659,421	-317,678 -32.5%	+1,000 +.2%	-41,385 -5.9%

\*Note: The 2001 wildland-urban interface figure includes \$8.8 million for the Ecological Restoration Institute.

\*\* \$50 million of suppression funding and all \$20 million burned area rehabilitation is emergency contingent upon request.

The President's budget funded the Wildland Fire Management program at \$658.4 million, a decrease of \$318.7 million from the 2001 level, which is due in large part to a reduction of \$199.6 million in contingent emergency funding for fire suppression. The 2002 budget funded fire preparedness at \$280.8 million, suppression at \$161.4 million, and the fuels program at \$186.2 million (including \$111.3 million for the wildland-urban interface fuels program).

The House mark funds the fire program at \$700.8 million, providing the President's budget level for all program components except for rehabilitation. The House includes \$62.4 million for burned area rehabilitation, which is \$42.4 million more than the request.

The Senate Committee provides \$659.4 million for wildland fire, adding \$1.0 million above the request for the purchase of a hyperspectral and digital camera remote sensing system. Within the amount the Senate includes is \$70.0 million that is

emergency contingent upon request by the President, comprised of suppression funds (\$50.0 million) and burned area rehabilitation funds (\$20.0 million).

The House includes report language that directs that overhead costs should be strictly controlled, kept to the minimum required, and based on actual services or a standard bureau methodology. The House endorses the use of fire funds to complete fire management plans, urges the completion of plans, and requires the submission of a schedule for revising and completing new plans. The House also endorses the use of funds to support the development of private enterprises for the use of woodland and other products and provides that projects may be extended to adjacent non-Federal lands to enhance the effectiveness of fuels and rehabilitation treatments. The House requires submission of a financial plan providing details on the proposed expenditure of funds.

The Senate supports the House direction of providing detailed financial reports and action plans, especially as it pertains to the implementation of the National Fire Plan. The Senate also directs the Department to consult with the State governors in developing the national long-term fire strategy.

## **Native American Programs**

### **Bureau of Indian Affairs**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. +/- 01</u>	<u>S. +/- 02</u>	<u>S. +/- H</u>
BIA Total	2,137,617	2,203,553	2,213,848	2,230,389	+92,772 +4.3%	+26,836 +1.2%	+16,541 +0.7%
Op. of Ind. Progs.	1,738,579	1,780,486	1,790,781	1,804,322	+65,743 +3.8%	+23,836 +1.3%	+13,541 +0.8%
Construction	356,618	357,132	357,132	360,132	+3,514 +1.0%	+3,000 +0.8%	+3,000 +0.8%
L & W Settlements	37,443	60,949	60,949	60,949	+23,506 +62.8%	--	--
Guaranteed Loan	4,977	4,986	4,986	4,986	+9 +0.2%	--	--

The President's budget request funded BIA at \$2.2 billion, an increase of \$65.9 million above the enacted level. The request included a major focus on education, continuing the construction and repair of Indian schools at the enacted level (\$292.5 million) and increasing funding for Indian education programs (+\$16.6 million).

The President's request included \$60.9 million for Indian Land and Water Claims Settlements, an increase of \$23.5 million above the 2000 level for recently authorized settlements and increases for continued improvement in activities related to trust management (+\$12.0 million), and for public safety (+\$5.0 million) to assist Tribes in staffing new detention centers.

For BIA in total, the House mark provides \$2.2 billion, an increase of \$76.2 million, or 3.6%, above the enacted level. This is \$10.3 million, or 0.5%, above the request. The Senate mark provides \$2.2 billion, an increase of \$92.8 million, or 4.3% above the 2001 enacted level. This is \$26.8 million, or 1.2% above the request, and \$16.5 million, or 0.7% above the House mark. The House and Senate Committee fully fund the request for uncontrollables (\$24.9 million), elementary and secondary school operations, public safety, and land and water rights settlements at the President's request level.

House and Senate changes from the President's budget include:

- The House increases are all within Operation of Indian Programs, including: \$3.4 million for Tribal Government within Tribal Priority Allocations, funding for bison (\$454,000); and the Great Lakes Fisheries Commission (\$285,000). The House mark also provides \$75,000 for a ferry assessment with the State of Washington and earmarks \$400,000 to continue the wildstock initiative in the Jobs in the Woods program at the FY 2001 level.
- The House mark also provides \$5.0 million in competitive tribal wildlife grants within the Fish and Wildlife Service appropriation.

- For the Washington State Timber, Fish, and Wildlife program the House restores the \$3.0 million reduction proposed in the President's budget and the Senate provides \$3.5 million.
- The Senate provides an increase above the request of \$3.0 million for the cost-share demonstration program within education construction.
- Senate Committee increases in Operation of Indian Programs include: \$4.0 million for trust services (real estate services and probate backlog), \$1.3 million for aviation training in Alaska, \$2.0 million for tribally controlled community colleges, \$1.0 million for Washington shellfish; \$2.0 million for distance learning, \$1.0 million for physician assistant training, \$1.4 million for Cheyenne River Sioux prairie management, \$1.5 million for Crownpoint Institute of Technology, \$1.0 million for facilities management, \$1.0 million for a vocational training center, and several smaller earmarks totaling \$4.1 million.

The House mark contains bill language allowing settlement funds from cost overruns on school construction contracts to be used for other school construction.

House Report language directs BIA to open a part-time land office in Canoncito, NM and to include phase II of replacement of the Santa Fe Indian School in the 2003 submission for education construction.

The House Committee report encourages BIA to work with the NM Pueblos in improving water quality in the Rio Grande and to support Tohono O'odham higher education and employment assistance programs.

Senate Report language directs the Bureau to continue funding the Inchelium Public Ferry in Washington and directs the Bureau to proceed with replacement of the K-12 Ojibwa School without making the Ojibwa education master plan a prerequisite for planning and construction. The Senate also directs the Secretary to work with the Timbisha Shoshone Tribe to acquire specific lands in trust in Nevada and to report survey results related to this acquisition to the Committee.

#### **Office of the Special Trustee for American Indians**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. +/-01</u>	<u>S. +/-02</u>	<u>S. +/- H</u>
OST	118,965	110,204	110,204	110,204	-8,761	--	--
					-7.4%	--	--

The 2002 budget provided \$110.2 million for OST, \$8.8 million less than 2001. This amount included \$73.0 million for trust improvements to fund requirements identified in the HLIP and associated breeches, including \$7.5 million to continue the IIM accounting effort initiated in FY 2001. The \$110.2 million budget request included \$11.0 million for the fourth year of Indian land consolidation program to address fractionation of Indian lands, an increase of \$2.0 million over the 2001 level.



Like the House, the Senate Committee provides the request level of \$110.2 million, funding the request of \$594,000 for uncontrollable costs and \$11.0 million for Indian land consolidation.

The House Committee report includes report language on litigation and historical accounting activities stressing that the Department must find a cost-effective method for a historical accounting and warns that it will consider a legislative remedy if the cost escalates. The House requires submission of a comprehensive report detailing the costs and benefits and likely results associated with any proposal.

The Senate Committee report states that the Committee recommendation includes funds for an historical accounting.

### **Maintaining America's Heritage:**

#### **Maintenance**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. +/-01</u>	<u>S. +/-02</u>	<u>S. +/- H.</u>
BLM	114,676	105,310	108,310	109,291	-5,385	+3,981	+981
USGS	33,283	31,365	32,385	33,586	+303	+2,221	+1,201
FWS	91,515	99,577	94,577	99,756	+8,241	+179	+5,179
NPS	<u>458,311</u>	<u>477,197</u>	<u>485,197</u>	<u>480,701</u>	<u>+22,390</u>	<u>+3,504</u>	<u>-4,496</u>
Total	697,785	713,449	720,469	723,334	+25,549	+9,885	+2,865
					+3.5%	+1.3%	+0.3%

The President's budget provided \$713.4 million for annual, cyclic, and deferred maintenance needs for the land management bureaus and USGS, an increase of \$15.7 million above the 2001 enacted level.

The House mark provides \$720.8 million, an increase of \$7.4 million above the President's budget. The Senate Committee provides \$723.3 million for maintenance, an increase of \$9.9 million above the request. The Senate Committee mark is \$2.9 million higher than the House, providing increases of \$7.4 million for BLM, USGS, and FWS that are offset by a reduction of \$4.5 million for NPS.

Details on NPS deferred maintenance funding is discussed after the construction discussion.

## Construction

\$000	01 Enacted	02 Budget	House	Senate	S. +/- 01	S. +/- 02	S. +/- H.
BLM	16,823	10,976	11,076	12,976	-3,847	+2,000	+1,900
FWS	71,358	35,849	48,849	55,526	-15,832	+19,677	+6,677
NPS	315,301	339,802	349,249	338,585	+23,284	-1,217	-10,664
BIA (Education)	292,341	292,503	292,503	295,503	+3,162	+3,000	+3,000
BIA (Other)	64,277	64,629	64,629	64,629	+352	0	0
Total	760,100	743,759	766,306	767,219	+7,119	+23,460	+913
					+0.9%	+3.0%	+0.1%

The 2002 budget included \$743.8 million for construction programs in the land management bureaus and BIA. The House mark provides \$766.3 million, an increase of \$22.5 million above the budget request. The House proposal for construction funds nearly 90 % of the projects that were requested in the President's budget and includes 29 add-on projects.

The Senate Committee funds the construction programs at \$767.2 million, an increase of \$23.5 million over the request and \$913,000 over the House Mark. All but 11 of the Administration's 89 construction projects are funded by the Senate at some level, but the adjustments result in an overall reduction of \$54.7 million. The Senate added 50 construction projects, with a value of \$80.0 million.

Specifics for each bureau are as follows:

- The House mark includes \$11.1 million for BLM's construction program, adding \$100,000 over the request level for the Lone Pine Visitor Center in California. The Senate mark provides \$13.0 million for BLM construction, \$2.0 million above the request and \$1.9 million above the House. The Senate funds visitor centers for the California Trial in Nevada (\$2.0 million) and Fort Benton (\$2.5 million) with the increase of \$2.0 million and by reducing the \$5.4 million request for Pompey's Pillar visitor center by \$2.5 million.
- The House provides \$48.8 million for FWS construction, an increase of \$13.0 million including \$10.8 million for projects not funded in the President's budget and \$3.0 for nationwide engineering services. The House directed that no administrative or other assessments may be charged to projects. The Senate provides \$55.5 million, \$19.7 million over the request and \$6.7 million higher than the House. All Administration projects are funded by the Senate along with 15 additional projects totaling \$19.5 million, including: \$1.75 million for construction and renovation of condor facilities in Idaho and California; \$3.5 million for renovation of a historic lodge at Mattamuskeet NWR in North Carolina; and \$5.0 million for fish screens in the Northwest Power Planning area.
- The House funds NPS construction at \$349.3 million, an increase of \$9.4 million over the budget request. For 18 projects not requested in the President's budget, the House adds \$31.7 million and \$10.0 million to build capacity at the regional office level. The House eliminates \$32.2 million for projects requested in the budget and denies the budget request of \$5.0 million for cost share maintenance projects. The Senate provides \$338.6 million, a decrease of \$1.2 million below the President's

budget and \$10.7 million less than the House. The Senate eliminates funding for 11 projects requested in the President's budget and partially funds others. For example, the \$25.8 million project for Elwha River restoration at Olympic NP is reduced by \$5.8 million, the \$9.3 million requested to rehabilitate the schooner C.A. Thayer located at San Francisco Maritime NHS is reduced to \$2.0 million, and a project to rehabilitate the grounds and the electrical systems at the White House are reduced from \$6.5 million to \$2.6 million. The Senate adds \$56.0 million for 33 projects including \$7.8 million for Denali NP entrance visitor facilities.

- The House funds the \$357.1 million President's budget request for BIA construction including \$292.5 million for education construction. The Senate provides \$360.1 million, an increase of \$3.0 million above the request and the House to fund the Tribal school demonstration program initiated in 2001. Both the House and Senate provide funding for six replacement school projects at the requested level of \$122.8 million, \$5.0 million for advance planning and design of future replacement schools, education facilities improvement and repair at \$161.6 million, and \$64.6 million for Public Safety and Justice, Resources Management, General Administration, and Construction Management. The Senate prohibits implementation of a requirement that a master plan be completed before planning and construction of the Ojibwa school proceeds.

A list of construction projects for each of the bureaus is included as Attachment 5.

#### National Park Service Deferred Maintenance Backlog

\$000	01 Enacted	02 Budget	House	Senate	S +/- 01	S +/- 02	S +/- H
Repair/Rehab. *	55,459	75,349	75,349	72,640	+17,181	-2,709	-2,709
Line Item	216,674	246,597	246,044	250,143	+33,469	+3,546	+4,099
Housing Repair	4,989	15,000	15,000	10,000	+5,011	-5,000	-5,000
Dam Safety	1,437	2,700	2,700	2,700	+1,263	---	---
<b>Subtotal</b>	278,559	339,646	339,093	335,483	+56,924	-4,163	-3,610
					20.4%	-1.2%	-1.1%
<b>Fees**</b>	60,000	100,000	96,000	100,000	+40,000	--	+4,000
					+66.7%	--	+4.2%
<b>Total</b>	338,559	439,646	435,093	435,483	+96,924	-4,163	+390
					+28.6%	-0.9%	+0.08%

\*Repair/Rehab includes funding for the facility maintenance management system and condition assessments

\*\* House and Senate mark for fees based on CBO estimate

The President's budget requested a \$61.1 million increase in appropriated funds for deferred maintenance needs. This level provided increases for Repair and Rehabilitation projects, comprehensive condition assessments, the facility maintenance management system, the Project Management Information System, and construction programs.

The House provides \$339.1 million in appropriated funds, including increases for the facility maintenance management system and condition assessments. The House recommended a slight decrease from the requested level (-\$553,000) in the line-item construction activity.

The Senate Committee provides \$335.5 million in appropriated funds. This is \$4.2 million less than the President's request and \$3.6 million less than the House funding level. The Senate mark decreases Repair and Rehabilitation projects and housing repair while increasing line-item construction.

The House does not mandate that a certain amount of recreational fee money be dedicated to backlog maintenance, but encourages the NPS to continue to use 60% of recreational fees for deferred maintenance projects. The Senate Report language does not address the use of recreational demonstration fees for deferred maintenance needs.

## **Science Programs**

### **U.S. Geological Survey**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. +/-01</u>	<u>S. +/-02</u>	<u>S. +/-H.</u>
USGS	882,800	813,376	900,489	892,474	+9,674 +1.1%	+79,098 +9.7%	-8,015 -0.9%

The 2002 President's Budget proposed to focus USGS resources on core programs and on science support for Interior resource management bureaus, and proposed approximately \$93 million in reductions to one-time increases, Congressional add-ons, and lower-priority programs. The budget also proposed to seek reimbursement and cost sharing for water programs that primarily benefit customers external to the Department of the Interior.

The House restores most of the Administration's proposed reductions, funding USGS science programs at \$87.1 million over the requested level and \$17.7 million over the 2001 enacted level. The Senate mark provides \$892.5 million for USGS, \$79.1 million above the request and \$8.0 million below the House level.

The Senate restores many of the decreases proposed in the President's Budget, but not as extensively as the House. Whereas the House approach was to restore virtually all general program reductions and funding for prior year House-specific earmarks, the Senate restored funding for its prior-year earmarks and proposed funding for a number of new projects. The net effect is that the Senate accepts or only partially restores some of the general program funding reductions proposed in the budget.

House and Senate changes from the President's budget include:

- In the National Mapping Program, the House fully restores the \$4.0 million reduction proposed in information management and delivery, including \$2.0 million for the global change data archive and \$2.0 million to improve internet access. The Senate restores the global change decrease and accepts the internet-related decrease. The House restores \$500,000 of the \$1.1 million reduction proposed for urban dynamic studies, while the Senate fully restores funding for the program. The House restores funding for the Gateway to the Earth project, while the Senate accepts the proposed discontinuation of this \$3.0 million effort. The Senate adds \$3.0

million in its bill for Landsat-5 operations. The House cuts the Civil Applications Program by \$500,000.

- In the Geology Program the House restores \$1.0 million for a coastal pilot project in the Gulf of Mexico and adds \$1.0 to begin expanding this pilot into a comprehensive, national initiative. The Senate accepts the proposed elimination of funding for the pilot. Both the House and the Senate restore funding for the minerals information team (+\$2.0 million) and for global change related research (+\$3.0 million). The House fully restores the proposed decrease of \$6.0 million for geologic mapping, while the Senate restores \$5.0 million of the decrease. There are a number of small site or project specific decreases proposed in the budget as well that were added by the House or Senate in recent years. The House and Senate generally accept proposed decreases to the other chamber's earmarks and restore funding for their own earmarks. In one exception to this practice, both the House and Senate accept the proposed elimination of funding for the Alaska Minerals at Risk project (-\$1.5 million), a longstanding Senate earmark. The House and Senate each propose a number of increases above the 2001 enacted level as well. These increases include a House increase of \$400,000 for the advanced national seismic system, and a Senate increase \$2.0 million for volcano monitoring in Shemya, Alaska and \$1.5 million for coalbed methane assessments in rural Alaska.
- In the Water Resources Program, both the House and the Senate fully restore the proposed decreases to the Toxic Substances Hydrology program (\$10.0 million), Groundwater Resources program (\$2.0 million), streamgaging activity (\$5.0 million), and the Water Resources Research Institutes program (\$4.5 million). The House also provides a \$540,000 increase over the 2001 enacted level for the Institute program. The House fully restores funding for the National Water Quality-Assessment program, while the Senate restores \$16.4 million of the \$20.0 million decrease. The House fully restores the \$3.0 million reduction proposed in water information management and delivery, while the Senate restores \$1.2 million of the decrease. The Senate mark funds a number of site-specific projects earmarked by the Senate in previous years and an increase of \$200,000 to initiate new study of extremophilic life in Berkeley Pit Lake.
- In the Biological Research Program, both the House and the Senate fully restore proposed decreases to the GAP program (\$3.5 million), the NBII (-\$4.0 million), and fire science (-\$2.8 million). In addition, they each added \$500,000 to the 2001 enacted level for the NBII, with the House earmarking the increase for the Tennessee node, and the Senate earmarking its increase for the Hawaii node. The Senate fully restores the \$2.5 million decrease in biological information management and delivery, while the House restores \$2.0 million of the decrease. In addition to restoring funding for a several small Member-interest earmarks from previous years, both the House and the Senate also proposed several new increases above the 2001 enacted level.
- In Science Support, the Senate accepts the decrease proposed decrease of \$5.0 million for Accessible Data Transfer, while the House restores the funding to continue upgrading USGS's information infrastructure.

- In the facilities activity, the Senate includes \$2.0 million for USGS to initiate construction of phase one of the expansion of the National Fish Health Laboratory at the Leetown Center, located in West Virginia.
- The House fully funds the \$23.7 million requested in the President's budget for uncontrollable cost increases, while the Senate funds all but \$900,000 of the request.

In order to better understand the availability and adequacy of water resources research, the House Committee report directs the USGS to contract with the National Academy of Sciences to examine water resources research funded by all Federal agencies and significant non-Federal organizations and suggest a comprehensive water research program for the nation.

### **Other Bureaus, Offices, and Programs**

#### **Minerals Management Service**

\$000							
	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. + / -01</u>	<u>S. + / -02</u>	<u>S. + / -H.</u>
Appropriation	139,221	155,473	155,972	158,051	+18,830	+2,578	+2,079
Offset Collect.	<u>107,410</u>	<u>102,730</u>	<u>102,730</u>	<u>102,730</u>	<u>-4,680</u>	--	--
Total	246,631	258,203	258,702	260,781	+14,150	+2,578	+2,079
Direct apps.					+13.5%	+1.7%	+1.3%
Total resources					+5.7%	+1.0%	+0.8%

The President's Budget provided \$258.2 million for MMS activities and programs, including offsetting receipts of \$102.7 million and direct appropriations of \$155.5 million. The 2002 budget proposed a \$15.0 million decrease due to the completion of the Royalty Reengineering initiative, and increases including: \$7.4 million for offshore activities; \$7.3 million to acquire gas management computer systems to facilitate administration of pilot RIK programs; and \$4.0 million to ensure a safe transition to the new Minerals Revenue Management system for MMS, industry, state, and tribal partners.

The House mark provides a total of \$258.7 million for MMS programs, including \$102.7 million in offsetting collections, and \$156.0 million in appropriations. The House provides an increase of \$500,000 for OCS regulatory programs. The House mark funds uncontrollables at the requested level of \$8.9 million.

The Senate provides \$260.8 million for MMS programs, including \$102.7 million in offsetting collections and \$158.0 million in direct appropriations. The Senate Committee provides a increase to royalty and offshore minerals management of \$2.6 million above the Administration's request and \$2.1 million above House. The Senate funds the Center for Marine Resources and Environmental Technology (\$800,000), the Marine Mineral Technology Center in Alaska (\$800,000), and operations and research activities of the Offshore Technology Research Center (\$1.4 million). The Senate fully funds uncontrollables at \$10.7 million, \$1.8 million above the President's budget request.

The House and Senate continue longstanding bill language to prohibit the use of funds for Outer Continental Shelf leasing and development activities in certain areas. The

House bill includes a new provision that prohibits the use of funds to execute a final lease agreement for oil and gas from lease sale area 181 prior to April 1, 2002

### Office of Surface Mining

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. + / -01</u>	<u>S. + / -02</u>	<u>S. + / -H.</u>
Reg. And Tech.	100,854	102,175	103,175	102,419	+1,565	+244	-756
AML	<u>214,565</u>	<u>166,783</u>	<u>203,554</u>	<u>203,171</u>	<u>-11,394</u>	<u>+36,388</u>	<u>-383</u>
Subtotal	315,419	268,958	306,729	305,590	-9,829	+36,632	-1,139
AML Transfer	<u>96,787</u>	--	--	--	<u>-96,787</u>	--	--
Total	412,206	268,958	306,729	305,590	-106,616	+36,632	-1,139
					-25.9%	+13.6%	-0.4%

The President's Budget provided \$269.0 million for OSM programs, discontinuing the \$96.8 million discretionary transfer of AML interest to the United Mine Workers of America Combined Benefit Fund. The budget also eliminated a \$12.6 million earmark for Pennsylvania anthracite reclamation and reduced State AML reclamation grants by \$35.0 million. The request funded uncontrollable cost increases at \$2.3 million.

The House provides \$306.7 million, an increase of \$37.8 million, or 14%, over the requested level for OSM programs. The allocation from the House includes an additional \$36.3 million for State reclamation grants and Federal high-priority projects, restoring these programs to last year's level. The House adds \$500,000 for allocation to the State of Pennsylvania for acid mine drainage remediation technology development. An additional \$1.0 million is provided for Regulation and Technology programs, for a total of \$58.6 million. The increased funding is provided to cover increases in OSM fixed costs, and to assist the States with their fixed cost increases. Clean Streams grants are continued at the FY 2001 level of \$10.0 million.

The House also included bill language that would reestablish the minimum program State funding level for AML at \$1.5 million, reduced from the current minimum program level of \$1.6 million.

The Senate provides \$305.6 million for OSM programs, an increase of \$36.6 million over the request level. Fixed costs are fully funded at \$2.8 million, an increase of \$531,000 above the request. The Senate increases funding for environmental restoration by \$36.4 million, allocating \$35.0 million for State grants and \$1.3 million for Federal high-priority projects. The Senate includes \$10.0 million for the Appalachian clean streams initiative, and directs that, from the \$1.6 million minimum program State grant for Alaska, \$800,000 shall be used for restoration and hazardous waste clean-up at the Independence Mine.

The Senate includes bill language which would fund minimum program State grants at \$1.6 million per State, and language which provides \$10.0 million to be used for projects in the clean streams initiative. Also, bill language is included which would authorize the State of Maryland to set aside the greater of \$1.0 million or 10% of the total of the grants to the State under title IV of the Surface Mining Control and Reclamation Act of 1977.

## NPS National Recreation and Preservation

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S +/- 01</u>	<u>S +/- 02</u>	<u>S +/- H</u>
NR&P	59,827	48,039	51,804	65,886	+6,059 +10.1%	+17,847 +37.2%	+14,082 +27.2%

The President's budget request included \$48.0 million for the National Recreation and Preservation appropriation. The House provides \$51.8 million, an increase of \$3.8 million or 7.8% over the requested level. Most of this increase (\$3.72 million) is directed to the Heritage Partnership program. Within Statutory or Contractual Assistance, increased funds are provided for the Dayton Aviation Heritage Commission, the Lake Roosevelt Forum, and the National Constitution Center. Funding for the Native Hawaiian culture and arts program is eliminated.

The Senate provides \$17.8 million more than the President's request. This includes increases of \$12.4 million for Statutory or Contractual Assistance and \$4.3 million for Heritage Partnership grants. Within Statutory or Contractual Assistance, increase funds are provided for the Denver Natural History and Science Museum, Independence Mine, Penn Center National Landmark, St. Charles Interpretive Center and the Vulcan monument. Within Heritage Partnership grants, funding is eliminated for the Erie Canalway National Heritage Area.

## Office of Insular Affairs

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. +/-01</u>	<u>S. +/-02</u>	<u>S. +/-H.</u>
OIA	99,189	92,695	95,534	99,695	+506 -0.5%	+7,000 +7.6%	+4,161 +4.4%

NOTE: Estimates include both current discretionary and current mandatory appropriations. The 2001 amount includes a \$3.0 loan to the American Samoa Government.

The 2002 President's budget request proposed the elimination of one-time discretionary increases provided in 2001 for impact of Compact assistance to Guam (-\$5.0 million) and the CNMI (-\$1.0 million). The budget continued to allocate \$4.6 million in mandatory Covenant grant funds to Guam for impact assistance, and for the first time, proposed to allocate a portion (\$500,000) of the mandatory Covenant grant funds to the CNMI for this purpose. The budget offset the mandatory increase for the CNMI by a reduction in funding for the CNMI Immigration initiative. The current mandatory request included a one-time increase of \$2.5 million for a grant to the Marshall Islands for extension of the Military Use and Operating Rights Agreement under the Compact of Free Association.

The House mark supports the President's budget request with only a few exceptions: an increase of \$1.3 million for discretionary impact of Compact assistance to Guam (\$800,000) and the CNMI (\$500,000) to supplement the amount of mandatory impact assistance provided to the two islands. The House provides an increase of \$200,000 for a study on the potential privatization of utilities in the U.S. Virgin Islands, and \$1.3 million for the Department to transfer to FEMA to retire an emergency loan debt of the Virgin Islands. The House report directs the Department to withhold \$1.0 million in



first quarter funding from the ASG operations grant, and withhold additional amounts each quarter, until a satisfactory plan and MOU have been approved by the Department and transmitted to the Committee with the MOU specifying benchmarks and schedules.

The Senate accepts the proposed reductions of discretionary impact of Compact assistance to Guam and the CNMI, but adds \$5.0 million for impact assistance to the State of Hawaii. The Senate provides \$2.0 million for the Department to transfer to FEMA to retire an emergency loan debt of the Virgin Islands.

### Departmental Offices

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. +/- 01</u>	<u>S. +/- 02</u>	<u>S. +/- H.</u>
Dept Mgt.	64,177	64,177	55,177	67,541	+3,364 +5.2%	+3,364 +5.2%	+12,364 +22.4%
SOL	40,108	42,207	45,000	44,074	+3,966 +9.9%	+1,867 +4.4%	-926 -2.1%
IG	27,785	30,490	30,490	34,302	+6,517 +23.4%	+3,812 12.5%	+3,812 +12.5%
NRDA	<u>5,391</u>	<u>5,497</u>	<u>5,497</u>	<u>5,872</u>	<u>+481</u> +8.9%	<u>+375</u> +6.8%	<u>+375</u> +6.8%
Total	137,461	142,371	136,164	151,789	+14,328 +10.4%	+9,418 +6.6%	+15,625 +11.5%

The President's budget request included an increase of \$6.3 million for uncontrollable costs, including: \$2.1 million for the Office of the Solicitor, \$1.9 million for the Office of Inspector General, and \$106,000 for NRDA. No uncontrollables were requested for Departmental Management. In addition, the budget request provided an increase of \$835,000 for OIG to perform audits related to "Top Management Challenges" and new legislative requirements.

The House provides the requested amounts for OIG and NRDA and adds \$2.8 million for the Solicitor to address a shortfall in funding for uncontrollables and a dramatic increase in agency legal work. In House floor action an amendment offered and adopted reduces funding for Departmental Management by \$9.0 million in order to fund other programs in the bill.

The Senate fully funds uncontrollable costs for Departmental Management by adding \$3.4 million over the President's budget. This funding level is \$12.4 million higher than the House mark. For the Solicitor, the Senate provides an increase of \$1.9 million over the President's budget for uncontrollables, \$926,000 less than the House. For OIG, the Senate provides an increase of \$1.9 million for fixed costs and \$835,000 for program audits consistent with the President's budget and House mark. In addition, the Senate provides \$3.8 million in order for the Department to contract financial audits. In the President's budget a total of \$4.6 million was budgeted in the bureaus and offices to fund the contracted audit costs.

In the NRDA account, the Senate provides \$106,000 for fixed costs consistent with the President's budget and House action, and provides an additional \$375,000 for the

development of a national data warehouse for natural resource damage incidents and restoration activities.

## **Crosscutting and Regional Initiatives**

### **Everglades Restoration**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S +/- 01</u>	<u>S +/- 02</u>	<u>S +/- H</u>
Everglades	83,995	122,766	125,319	115,932	+31,937 +38.0%	-6,834 -5.6%	-9,387 -7.5%

*Note: Senate funding level does not include additional uncontrollables provided over President's budget request.*

The President's budget requested \$122.8 million, a \$38.8 million, or 46.2%, increase over the FY 2001 enacted level of \$84.0 million. The Administration requested increases totaling \$5.7 million for Comprehensive Everglades Restoration Plan (CERP) implementation, \$39.2 million for the Modified Water Deliveries construction project, \$12.4 million for FWS land acquisition and \$15.0 million for grants to the State of Florida.

The House provides \$125.3 million for Everglades Restoration, an increase of \$2.6 million above the request. The Senate funds Everglades Restoration at \$115.9 million, a reduction of \$6.8 million from the President's budget and \$9.4 million below the House level.

In summary, the House and Senate changes to the budget include:

- The House provides \$16.0 million for grants to the State of Florida. This is \$1.0 million more than requested. The Senate provides \$15.0 million for grants to the State of Florida consistent with the request.
- The House funds FWS land acquisition at \$13.4 million, a \$1.0 million increase over the request. The Senate funds FWS land acquisition at \$9.0 million; \$4.4 million less than the House level.
- The House recommends funding the Modified Water Deliveries project at the request level of \$39.2 million. The Senate provides \$35.2 million. The Senate reduced land acquisition funding for the project by \$4.0 million.
- In the House bill, BIA Everglades projects are funded at the President's Budget request level. The House provides an additional \$600,000 for USGS Everglades funding. The Senate bill funds BIA and USGS Everglades restoration efforts at the House level.

The House includes report language directing the Department to contract with the National Academy of Sciences to undertake a review of the effectiveness of the use of Everglades research appropriations.

Attachment 5 provides further detail on Everglades funding.

### **Columbia River Basin Salmon Recovery**

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>S. +/- 01</u>	<u>S. +/- 02</u>	<u>S. +/- H.</u>
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BIA	--	400	400	400	+400	+400	--
USGS	400	400	400	400	--	--	--
BOR	5,610	11,000	11,000	na	na	na	--
FWS	<u>2,500</u>	<u>6,000</u>	<u>6,000</u>	<u>6,000</u>	<u>+3,500</u>	<u>+3,500</u>	--
Total	8,510	17,800	17,800			na	--
						na	--

*As of this date the Energy and Water Development appropriations bill has not been taken up by the Senate.*

The President's budget included program increases of \$8.0 million under BOR, BIA and FWS for Columbia Basin salmon recovery efforts. Both the House and Senate Interior Bill fully fund increases requested in the President's budget for Columbia Basin salmon recovery. In markup of the 2002 appropriations bill, the House included funding for Columbia River Basin at the level requested in the President's budget. Senate markup is pending.

Both the House and Senate provide funding for fish passage improvements in Washington, Oregon, Montana, and Idaho. These funds could contribute to Columbia Basin Salmon recovery, however, because they are not limited to CRB or meeting the Department's responsibilities for CRB salmon recovery, they are not included in the table above. The House provides \$3.0 million and the Senate provides \$5.0 million (under construction).

## MAJOR LEGISLATIVE LANGUAGE ITEMS

**ESA Listing Language.** The President's budget proposed bill language that would have allowed FWS to spend its listing appropriation in accordance with biological priorities, after meeting existing court orders. This language continued a provision, the listing "cap," enacted in fiscal years 1998 through 2001, and included new language clarifying that FWS could expend its listing resources only to comply with existing court orders or according to a biologically based priority system.

The House mark continues the listing cap (at \$8.5 million) and establishes a new "subcap" of \$6.0 million for critical habitat designations for already listed-listed species.

The Senate mark continues the listing cap (at \$9.0 million), but does not include the "subcap" established by the House.

**Recreation Fee Demonstration Program.** The House extends the authorization for the Recreational Fee Demonstration program for four years, through 2006. In its proposal, the House provides enhanced authority to give discounted or free admission in certain instances, raises the number of sites that each agency may include in the program, and limits the use of funds for capital construction to \$500,000 unless approval is obtained from the House and Senate Appropriations Committees. The requirement for an annual report is established for March of each year (dropping the requirement for a separate September report). The House does not mandate that a certain amount of recreational fee money be dedicated to backlog maintenance. In its report, the House Committee expressed concern that fee collection and administrative costs may be too high in certain locations and directs the NPS to provide a report by February 1, 2002

detailing by park unit the cost of collection and the use of staff and to identify innovative collection methods. (House §312)

A House floor amendment to strike the extension of the Recreation Fee Demonstration program was defeated by a vote of 129 to 287.

The Senate did not take action regarding the recreation fee demonstration program.

**Mine Claim Holding Fee.** The President's budget proposed to extend the BLM mine claim holding fee for five years. The House provides authorization for a one-year extension. The Senate Committee bill provides authorization for five years. (BLM Administrative Provisions)

**Outer Continental Shelf Moratoria.** As requested in the President's budget, the House and Senate continue the moratoria on OCS oil and gas activities. (House §107-110, Senate §107-110)

**Oil and Gas Sale Area 181.** In floor action the House adopted an amendment that prohibits the use of funds to execute a final lease agreement for oil and gas from lease sale area 181 prior to April 1, 2002.

**Mine Patent Moratorium.** As requested in the President's budget, the House and Senate continue the mine patent moratorium for an additional year. (House §309, Senate §310)

**Grazing Permits.** As requested in the President's budget, the House and Senate continue authorization for automatic extension of expiring grazing permits expiring if not acted on by BLM before expiration. (House §114, Senate §113)

**Prohibition on Establishing Kankakee NWR (IL).** The House bill continues last year's provision limiting establishment of the Kankakee refuge in Indiana that is inconsistent with the Corps of Engineer's efforts to control flooding and siltation in that area. (House §117)

**Huron Cemetery (KS).** The House and Senate bills include a provision contained in last year's bill making the Secretary of the Interior responsible for ensuring that the Huron Cemetery in Kansas City, Kansas, is used only for religious and cultural uses that are compatible with the use of the land as a cemetery and burial ground. (House §119, Senate §117).

**National Monuments.** An amendment adopted in House floor action prohibits the use of funds to conduct mineral preleasing, leasing, and related activities within the boundaries of a national monument that were established pursuant to the Antiquities Act, as such boundaries existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing the monument. The House adopted the amendment by a vote of 242 to 173.

**Hardrock Mining/3809 Regulations.** An amendment was adopted by the full House that prohibits the use of funds to suspend or repeal BLM's 3809 mining regulations.

**Royalty in Kind.** The House Committee reported language continuing 2001 language requiring MMS to analyze proposed RIK sales to assure to the maximum extent practicable that royalty income under the RIK program is "equal to or greater than royalty income recognized under a comparable royalty- in-value program". A House floor amendment adds the following to this language: "including the royalty valuation procedures established by the final rule published by the Minerals Management Service on March 15, 2000."

**Tribal School Construction.** The Senate Committee includes authorization to continue a cost-shared tribal school construction program. (Senate §122).

**White River Oil Shale Mine, Utah.** The Senate Committee permits the sale of improvements and equipment at the White River Oil Shale Mine in Utah and the retention and use of these funds by BLM and GSA. (Senate §123).

**FWS Horse and Burro Management.** The Senate includes bill language that authorizes FWS to use helicopters and motor vehicles to capture and transport horses and burros at the Sheldon and Hart NWR. (Senate §124).

**LWCF State Grants/Wildlife Grants.** The Senate includes bill language providing that, upon application of a Governor, up to 25 % of a State's formula allocation of stateside grants may be transferred to wildlife grants, or, alternatively, that up to 25 % of a State's allocation of wildlife grant funds may be transferred to stateside grants. (Senate §125).

**Lytton Tribe.** The Senate repeals Section 819 of the Omnibus Indian Advancement Act of 2000 (P.L. 106-568) which allowed land taken into trust for the Lytton Tribe in California to be retroactively recorded (Senate §126).

**Cape Romain NWR, NC.** The Senate renames Moore's Landing at the Cape Romain NWR, North Carolina as "Garris Landing." (Section §127).

## Technical Notes

All amounts are current dollars.

All years referred to are fiscal years unless otherwise noted.

Comparisons of House action in this document are to 2001 enacted appropriations and the 2002 President's budget as scored by OMB and the Department. House scoring of 2001 and the President's budget differs somewhat, with the result that comparisons in this document and the House report do not, in all instances, match. The following note explains the differences in scoring.

### OMB Budget Totals Compared with House Appropriations Committee Totals

\$000	01 Enacted	02 Budget
OMB Scoring	9,486,831	9,168,013
Appropriations Scoring	9,314,582	9,167,124

The Interior scoring table for the 2002 appropriations bill begins with an amount for 2001 for Title I that is \$172.25 million lower than the President's Budget. Most of the difference is caused by not including the OSM AMLF "transfer" to the UMWA Combined Benefit fund, which the President's Budget scores at \$96.8 million. Congressional scorekeepers did include a lower amount for this item apart from Title I (\$57.9 million). The President's Budget also includes funds for the American Tobacco Loan subsidy of \$3.1 million not found in congressional scoring. The congressional scorekeepers for the Interior bill generally do not include appropriations that the Department received from other 2001 Appropriations Acts. The largest of these was \$49.9 million Wildlife Conservation and Restoration grants funded in the Commerce, Justice, State Appropriations Act. Others funds in this class were for Ft. Irwin planning, the National Constitution Center, Minuteman Silo park unit planning, and Ft. Baker maintenance. Finally, a very minor part of the difference is caused by the Congressional scorekeepers following their own computation of the 2001 across-the-board reduction rather than the Executive Branch's.

### **Legislative History**

#### **House Bill – H.R. 2217 (H. Report No. 107-103)**

- The House Subcommittee reported the bill on June 7, 2001.
- The House Committee reported the bill on June 13, 2001 and passed the measure with amendments by voice vote.
- The House took up the bill on June 21, 2001. Floor debate continued throughout the day until early evening. The bill was passed by a vote of 376 to 32.

The amendments adopted on the House floor that are relevant to Interior include:

- An amendment offered by Rep. Davis prohibits the use of funds to execute a final lease agreement for oil and gas from lease sale area 181 prior to April 1, 2002. The amendment was adopted by a vote of 247 to 164.
- An amendment offered by Rep. Rahall prohibits the use of funds to conduct mineral preleasing, leasing, and related activities in national monuments, established pursuant to the Antiquities Act, as such boundaries existed on January 20, 2001, except where these activities are allowed under the Presidential proclamation establishing the monument. The House adopted the amendment by a vote of 242 to 173.
- An amendment offered by Rep. Inslee prohibits the use of funds to suspend or repeal BLM's 3809 mining regulations was adopted by a vote of 216 to 194.
- Rep. Slaughter offered an amendment to increase funding for the National Endowment for the Humanities by \$3 million; the Institute of Museums and Library Services by \$2 million; and NEA Challenge America Arts Fund by \$10 million. The amendment funds these increases by a reduction of \$9 million from Interior's Departmental Management and \$6 million from the Forest Service. The amendment was adopted by a vote of 221 to 193.
- Rep. Maloney proposed an amendment to language authorizing MMS' Royalty in Kind program. The House Committee reported language continuing 2001 language requiring MMS to analyze proposed RIK sales to assure to the maximum extent practicable that royalty income under the RIK program is "equal to or greater than royalty income recognized under a comparable royalty- in-value program". The amendment adds the following to this language: "including the royalty valuation procedures established by the final rule published by the Minerals Management Service on March 15, 2000." The amendment was agreed to by a voice vote.

Amendments that were not adopted by the House include:

- Rep. DeFazio introduced an amendment to limit the extension of the Recreation Fee Demonstration program to one year, rather than 4. The amendment was defeated by voice vote.
- Rep. DeFazio introduced an amendment that would strike the four year extension of the Recreation Fee Demonstration program provided in section 312 of the bill. This would end the program at the end of 2002. The amendment was defeated by a vote of 129 to 287.
- Rep. Sanders introduced an amendment that would have increased PILT by \$12 million; the DOE weatherization program by \$24 million; and state energy conservation grants by \$12 million. The increases were offset by reductions in fossil energy research. The amendment was defeated by a vote of 150 to 264.
- Rep. Deutsch introduced an amendment to prohibit the use of funds to extend leases for the homes at Stiltsville in Biscayne National Park. The amendment was defeated by a vote of 187 to 222.
- Rep. Pombo introduced an amendment to earmark \$1.0 million for the Banta-Carbona Irrigation District Fish Screen Project in Tracy, California from the Cooperative Endangered Species Fund. The amendment was withdrawn.

**Senate Bill – H.R. 2217 (S. Report No. 107-36)**

- The Senate Subcommittee reported the bill on June 38, 2001.
- The House Committee reported the bill on June 28, 2001 and passed the measure with a set of managers' amendments by roll call vote.